

0390 0390

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application

Inventors: Milos Sovak, et al.

Appln. No.: 09/580,503

Filed: May 25, 2000

Title: TOPICAL ANTIANDROGEN FOR HAIR LOSS
AND OTHER HYPERANDROGENIC
CONDITIONS

PATENT APPLICATION

Customer No. 23910

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450**, on July 2, 2003.

D. Benjamin Borson (Attorney Signature)
D. Benjamin Borson, Reg. No. 42,349
Signature Date: July 2, 2003.

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

It is requested that the information identified in this statement be considered by the Examiner and made of record in the above-identified application. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56. If this is a continuation, divisional or continuation-in-part application, it is understood that the Examiner will consider all information which was considered by the Office in a parent application. MPEP §609. Such information therefore is not listed herein unless it is desired that the information be printed on a patent issuing from the subject application.

Enclosed with this statement are the following:

- ☒ Form PTO-1449. The Examiner is requested to initial the form and return it to the undersigned in accordance with M.P.E.P. §609.
- ☒ Report on State of the Art from the Spanish Patent Office.
- ☒ A copy of each cited document as required by 37 C.F.R. §1.98. Copies are not submitted of documents previously submitted by the applicant in a parent application from which benefit under 35 U.S.C. §120 is claimed, 37 C.F.R. §1.98(d)(1), with an *Information Disclosure Statement* submitted in the parent application which complies with the September 8, 2000 or subsequent revision of 37 C.F.R. §1.98(a-c). If any of the cited/submitted documents is in a foreign language, a concise

explanation of relevance is provided pursuant to 37 C.F.R. §1.98(a)(3)(i). For foreign language documents cited in a search report by a foreign patent office, the requirement for a concise explanation of relevance is satisfied by the submission herewith of an English language version of the search report. MPEP §609A(3). If a written English-language translation of a non-English language document, or portion thereof, is within the possession, custody or control of, or is readily available to any individual designated in §1.56(c), a copy of the translation accompanies this statement, 37 C.F.R. §1.98(a)(3)(ii), and satisfies the requirement for a concise explanation of relevance, MPEP §609A(3).

— **PTA Statement under 37 C.F.R. §1.704(d).** Each item of information contained in the *Information Disclosure Statement* was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the *Information Disclosure Statement*.

This statement should be considered because:

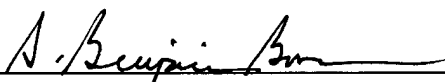
☒ **37 C.F.R. §1.97(b).** This statement qualifies under 37 C.F.R. §1.97, subsection (b) because It is being filed before the mailing date of the first Office Action after the filing of a Request for Continued Examination under 37 C.F.R. §1.114.

☒ **Fee Authorization.** The Commissioner is hereby authorized to charge any deficiencies or credit any overpayment to Deposit Account No. 06-1325. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

FLIESLER DUBB MEYER & LOVEJOY LLP

Date: July 2, 2003

By: 
D. Benjamin Borson, Ph.D.
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Form PTO-1449 (Substitute)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	Attorney Docket Number SOVA-1016US0	Serial/Patent Number 09/580,503
		Applicant/Patent Owner Milos Sovak, et al.	
		Filing/Issue Date May 25, 2000	Group Art Unit

*Information Disclosure Statement***BY APPLICANT***(Use several sheets if necessary)***U.S. PATENTS**

Examiner Initial	Patent Number	Issue Date	First Named Inventor	Class	Subclass	Filing Date
	5,411,981	5/2/95	Gaillard-Kelly, et al.	514	386	5/18/93
	5,750,553	5/12/98	Claussner, et al.	514	392	1/4/95

FOREIGN PATENT DOCUMENTS

Examiner Initial	Document Number	Publication Date	Country	Class	Subclass	Translation Yes No
	WO 0037430 A	29/6/2000	PCT			

OTHER DOCUMENTS (Include author (if any), title, publisher and place of publication, date and pertinent pages)

	Tucker, H. et al.: Nonsteroidal antiandrogens. Synthesis and structure-activity relationships of 3-substituted derivatives of 2-hydroxypropionanilides. J. Med. Chem., 1988, Vol. 31, pages 954-959.
	Tucker, H. et al.: Resolution of the nonsteroidal antiandrogen 4'-cyano-3-[(4-fluorophenyl) sulfonyl]-2-dydroxy-2-methyl-3'-(trifluoromethyl)-propionamide and the determination of the absolute configuration of the active enantiomer. J. Med. Chem., 1988, Vol. 31, pages 885-887.

Examiner

Date Considered

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*1 = Copy not submitted because it was submitted in prior application SN / , filed , 20 , relied on under 35 USC §120.

*2 = Copy not submitted because it was submitted in prior application SN / , filed , 20 , relied on under 35 USC §120.